



YOUTH COMMUNITY CORRECTIONS BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: YCC 100-6	Subject: REPORT OF VIOLATION
Chapter 100: VIOLATIONS / DETENTION PROTOCOL	Page 1 of 4
Applicable ACA Standards: 2-7154, 2-7155, 2-7157, 2-7158	Revision Date: 03-03, 05-15-03, 09-15-04, 01-09-06, 11-06-06, 11-23-07, 08-17-09
Signature: /s/ Karen Duncan	Effective Date: 12-31-02
Signature: /s/ Steve Gibson	

I. BUREAU DIRECTIVE:

The Youth Community Corrections (YCC) Bureau will establish procedures for reporting the violations on a youth, including cases for which Juvenile Parole Officers provide cooperative supervision under the Interstate Compact for Juveniles. This procedure will be reviewed annually and updated as needed.

II. DEFINITIONS:

None

III. PROCEDURES:

A standardized procedure will be used when submitting a [Report of Violation \[YCC 100-6 \(A\)\]](#) on a youth [refer to [YCC 100-6 \(B\), Sample Juvenile Parole Violation Report](#), for an example]. A report of violation will be completed on all youth returning to a correctional facility. The YCC Bureau Chief or designee will review all Reports of Violation. The Report of Violation will be completed on all youth prior to an on-site hearing. If a youth waives his/her right to a hearing, the Report of Violation must be completed within 48 hours of the youth's return to the correctional facility.

The Report of Violation will be comprised of the following items:

A. Legal History

1. Commitment dates, county, disposition, and other relevant information.
2. Correctional facility placement and release dates.
3. Revocation dates.

B. Circumstances and Nature of Violations:

1. Violations: Give a factual specific and more complete account of the alleged violations that were listed in [YCC 100-4 \(A\), Notice of Alleged Violation of Parole Agreement](#), and ensure that all violations can be verified. (Include dates of

Procedure No.: YCC 100-6	Chapter 100: VIOLATIONS / DETENTION PROTOCOL	Page 2 of 4
Subject: REPORT OF VIOLATION		

violations and state the numbers of the rules violated.) This information will be provided to the hearings officer in all cases, whether convening an on-site hearing or in cases of a waiver. Attach any and all police reports and documentation to further document the violation.

2. **Victim Impact:** Include any victim statements and damages associated with alleged violations. Also note contact with the County Attorney's Office to discuss prosecution options in the event of damage or harm to victims or victim property. Note the discussion regarding transfer to District Court or new prosecution in Youth Court when appropriate.

C. Present Whereabouts of Youth:

Describe where the youth has resided and current placement which could include a detention facility or group home. If known, include transportation arrangement and date of return or expected return to the correctional facility.

D. Individual's Statement:

Document the youth's statements made during the detainment, investigation, or reading of Notice of Alleged Violations Report. Include relevant information that describes the youth's attitude towards a revocation and/or the youth's attitude about the alleged crimes/violations.

E. History of Juvenile Parole Supervision:

1. **General Adjustment:** Describe the youth's adjustment while on parole supervision. Include a brief history beginning with the youth's release date from the correctional facility and summarize the youth's level of commitment, or lack thereof, to adhere to his/her case plan.
2. **Home and/or other placements:** Document the youth's placements since their last release from the correctional facility. Include the strengths and weaknesses of the placement. Summarize the abilities of the youth's parents or substitute care providers to support, guide, and discipline the youth. This may include financial, emotional, instructional, and the level of cooperation with DOC.
3. **School:** Include all relevant information of the youth's educational program. Include name of school and the youth's overall adjustment such as grades, attendance, grade level, and disciplinary reports.
4. **Employment:** Include progress and performance on the job. If applicable, include motivation of the youth to seek and/or maintain employment.

Procedure No.: YCC 100-6	Chapter 100: VIOLATIONS / DETENTION PROTOCOL	Page 3 of 4
Subject: REPORT OF VIOLATION		

5. Treatment/Programming: Include youth's involvement and performance in treatment programs. Include treatment providers, prognosis, and recommendation. Attach reports.
6. Assistance Given by Juvenile Parole Officer (JPO): Describe your assistance given to the youth to aid in his/her success on his/her parole plan. This should include intervention hearings, sanctions, case management strategies, and/or supervision techniques.

F. Appraisal and Recommendation:

Be specific. Include alternatives to incarceration. This section should also include which options may be available for placement and the JPO's specific recommendations for placement. Include recommendations for institutional case planning. This may include chemical dependency treatment, thinking errors group, restitution, etc.

G. Witnesses:

1. JPO is the first witness cited.
2. Remaining witnesses in order that violations occurred: name, occupation, and address.

H. Distribution of the Report of Violation:

1. Original in field file;
2. Copies to Hearings Officer (for on-site hearing) or YCC Bureau Chief or designee (for waiver);
3. Youth's Attorney (for on-site hearing);
4. Correctional Facility.

****Refer to Procedure [YCC 100-4, On-Site Hearing](#) for information regarding a formal hearing.**

IV. CLOSING:

Questions concerning this procedure shall be addressed to the Youth Community Corrections Bureau Chief.

V. REFERENCES:

Procedure No.: YCC 100-6	Chapter 100: VIOLATIONS / DETENTION PROTOCOL	Page 4 of 4
Subject: REPORT OF VIOLATION		

<u>41-5-1523, MCA</u>	<u>Commitment to Department or Youth Court - Supervision</u>
<u>52-5-127, MCA</u>	<u>Control Over Youth Released Under Parole Agreement</u>
<u>52-5-128, MCA</u>	<u>Detention of Youth Who Violates Parole Agreement</u>
<u>52-5-129, MCA</u>	<u>Hearing on Alleged Violation of Parole Agreement - Waiver of</u>
	<u>Hearing -Right to Appeal Outcome</u>
<u>53-1-203, MCA</u>	<u>Powers and Duties of Department of Corrections</u>
<u>YCC 4.7.4</u>	<u>Violation of Juvenile Parole Agreement</u>
<u>YCC 100-4</u>	<u>On-Site Hearing</u>

VI. ATTACHMENTS:

[YCC 100-6 \(A\) Juvenile Parole Violation Report](#)
[YCC 100-6 \(B\) Sample of Juvenile Parole Violation Report](#)